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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,610	02/23/2004	John A. Keenum	HE0220	8313
21495	7590	12/02/2004		EXAMINER
				PENG, CHARLIE YU
			ART UNIT	PAPER NUMBER
				2883

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/784,610	KEENUM ET AL.
	Examiner Charlie Peng	Art Unit 2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) 5-9 and 13-25 is/are allowed.
- 6) Claim(s) 1-4 and 10-12 is/are rejected.
- 7) Claim(s) 4,14 and 19 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: ____.

DETAILED ACTION

Claim Objections

Claims 4, 14, and 19 are objected to because of the following informalities: -field technician- is misspelled as “field technician”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, and 4 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,579,014 to Melton et al. Melton teaches that end portions of a pre-connectorized (with ferrule mounted upon ends of optical fibers) optical fiber (55) is inserted from a first end (14) of a fiber optical receptacle (10), and the pre-connectorized optical fiber is connected to a connectorized inserted from a second end of the fiber optical receptacle. (Column 6, lines 27-51) The fiber optical receptacle is mounted on the outside an enclosure (80) by fasteners through a plurality of holes (28) on a flanged portion (26). Melton teaches that the enclosure can be a NID. (Column 1, lines 11-60) Melton is silent regarding an opening through which the fiber optical

receptacle is placed on the enclosure, but such an opening is inherently present on a wall of the enclosure so that access to inside of the enclosure is possible through the optical fiber receptacle. The fiber optic receptacle can be threadably connected and disconnected at an adapter retainer (30) without opening up the enclosure, and this allows a technician to replace or exchange a adapter sleeve (18) and to reconfig the optical fiber receptacle to receive a plurality of connector types. (Coulmn 10, lines 9-46)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Melton et al. as applied to claim 2 above. Melton et al. discloses the claimed invention except for applicant rearranging the connectorized and pre-connectorized fiber optic. It would have been obvious to one of ordinary skill in the art at the time the invention was made to reverse the locations of the two optical fibers, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USP 70. The motivation would be to protect the connector receptacle and keep it from being damaged by natural elements.

Claims 10-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Melton et al. in view of U.S. Patent 6,591,053 to Fritz. Melton teaches a connector

receptacle and its functions as applied to claim 1 above but is silent on mounting the receptacle inside an NID. Fritz teaches a fiber optic cabinet used to facilitate interconnections of servers, hubs, and routers. The cabinet further consists of lockable access covers (46, 48) and a patch panel (32) inside with a connector mounting plate (170), on which fiber optic connectors for incoming and outgoing are inserted. It would have been obvious to one having ordinary skill in the art at the time the invention was made to place the connector, as taught by Melton, inside the NID as opposed to mounting it on a side of wall outside of the NID. The motivation would be to prevent unauthorized access to the connector receptacle.

Referring to claim 12, Melton and Fritz disclose the invention except for an adapter sleeve fitted within the connector. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use an adapter since it is well known in the art that ferrules may be slipped inside such hollow adapters (often called coupling receptacles or sleeves) before they are mounted in the connector body. The motivation would be to center and align the fibers and protect it from mechanical damage.

Allowable Subject Matter

Claim 5 is allowed. The following is a statement of reasons for the indication of allowable subject matter: Melton teaches a connector port that can be mounted on an NID but not a base-and-cover design or a slot for receiving a drop cable. A two-piece connector design having base-and-cover or top-and-bottom is known in the art, but the

applicant's claim of securing the connector onto the NID only through the base is not. It is also the examiner's opinion that prior art taken alone or in combination does not render this claim obvious.

Claims 6-9 are allowed by virtue of being dependent claims of an allowable claim.

Claim 13 is allowed. The following is a statement of reasons for the indication of allowable subject matter: Melton teaches a connector port that can be mounted on an NID, but the connector port is not mounted on an insert positioned in an opening of an external wall or the passage way through the insert as claimed by the applicant. It is also the examiner's opinion that prior art taken alone or in combination does not render this claim obvious.

Claims 14-18 are allowed by virtue of being dependent claims of an allowable claim.

Claim 19 is allowed. The following is a statement of reasons for the indication of allowable subject matter: Melton and Fritz teach a connector port that can be mounted in an NID housing, but Melton does not teach an insert with an opening through which a optical cable passes and that the opening is aligned with the connector receptacle within. It is also the examiner's opinion that prior art taken alone or in combination does not render this claim obvious.

Claims 20-25 are allowed by virtue of being dependent claims of an allowable claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlie Peng whose telephone number is (571) 272-2177. The examiner can normally be reached on 8:30 am - 5 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charlie Peng



Frank G. Font
Supervisory Patent Examiner
Technology Center 2800